

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN**

Case No.: **16-23974**
Judge: **Beth E. Hanan**
Chapter: **Chapter 13**

In Re: Lamar Terrell Hall

**NOTICE OF MOTION TO AVOID THE LIEN OF LAW OFFICE OF HAZEL J
WASHINGTON S.C.**

The Debtor, through Geraci Law, LLC, has filed a Motion to Avoid the lien of Law Office of Hazel J Washington S.C. A copy of that motion accompanies this notice.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant Debtor(s)' motion, or if you want the court to consider your views on the motion, **then on or before 14 days from the date of this Notice**, you or your attorney must file an object with:

1. Clerk, U.S. Bankruptcy Court
517 East Wisconsin Avenue
Milwaukee, WI 53202-4581

and provide copies to

United States Trustee Eastern District of Wisconsin 517 East Wisconsin Avenue, Room 430 Milwaukee, WI 53202	Mary B. Grossman Chapter 13 Trustee P.O. Box 510920 Milwaukee, WI 53203
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Geraci Law, LLC Andrew Mark Golanowski 2505 N. Mayfair Rd. #101 Wauwatosa, WI 53226	Lamar Terrell Hall 3841 N. 58th Blvd. Milwaukee, WI 53216
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in time for its receipt by the above deadline. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Dated this Thursday, May 26, 2016.

By: /s/ Andrew Mark Golanowski
Andrew Mark Golanowski
Attorney of the Debtor
Bar #: 1055499

Andrew Mark Golanowski
Law Offices of Peter Francis Geraci
2505 N. Mayfair Road, Suite 101
Wauwatosa, WI 53226
Phone: (312) 332-1800
Fax: (877) 247-1960
Email: wal@geracilaw.com

Rec. No: «c_recordno»
WD - MOT - Motion to Incur Additional Debt

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN**

Case No.: **16-23974**
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In Re: Lamar Terrell Hall

**MOTION TO AVOID THE LIEN OF LAW OFFICE OF HAZEL J
WASHINGTON S.C.**

NOW COMES the Debtor, Mr. Lamar Hall (the “Debtor”), by and through his attorneys, Geraci Law, LLC, and states as follows:

1. This Court has jurisdiction over this matter pursuant to 11 U.S.C. 105 and 28 U.S.C. 157(b).
2. Debtor filed a voluntary petition under Chapter 13 of the Bankruptcy Code on April 22, 2016.
3. This motion is brought pursuant to 11 U.S.C. 522(f)(1)(B) and Bankruptcy Rules 4003(d) and 9014 to avoid a lien placed on the Debtor’s property.
4. The Debtor is the owner of a primary residence at 942 N. 35th St., Milwaukee, Wisconsin 53208. The property is valued at \$188,000, and encumbered by a mortgage held by Seaway Bank and Trust Company, with a balance of not less than \$167,811.
5. The Debtor has claimed a homestead exemption of \$20,189 pursuant to 11 U.S.C. 522(d)(1).
6. Prior to the Debtor’s filing, the Law Office of Hazel J Washington S.C. (the “Creditor”) obtained a judgment lien against the Debtor for \$3,366.38 recorded on

April 20, 2016. The Docket number with the Milwaukee County Circuit Court is 2016SC009199.

7. Said judgment fixed a lien on the Debtor's homestead by operation of Wis. Stat. 806.15(1).
8. Pursuant to 11 U.S.C. 522(f)(1), a debtor may avoid the fixing of a lien on an interest of the debtor in property to the extent that such lien impairs an exemption to which the Debtor would have been entitled.
9. Under 11 U.S.C. 522(f)(2)(A), the judicial lien in favor of the Creditor clearly impairs an exemption to which the Debtor would have been entitled.
10. This lien is not secured to a debt specified in 11 U.S.C. 523(a)(5).
11. This lien is not a judgment arising from a mortgage foreclosure.
12. Avoiding the judicial lien held by the Creditor is necessary for the Debtor's reorganization.

WHEREFORE, the Debtor, Mr. Lamar Hall, prays this Court enter an order:

- 1) Avoiding the lien of the Law Office of Hazel J Washington S.C.
- 2) Any other relief that this court deems just and proper.

Respectfully submitted and dated this Thursday, May 26, 2016.

By: /s/ Andrew Mark Golanowski
Andrew Mark Golanowski
Attorney for Debtor
Bar #: 1055499

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CERTIFICATE OF SERVICE

The undersigned, an Attorney, does hereby certify that a copy of this Certificate of Service and a copy of the attached Notice and Motion were mailed First Class to the persons mentioned below, at their respective addresses, postage prepaid, by U.S. Mail in Milwaukee, WI on Thursday, May 26, 2016:

Lamar Hall 3841 N. 58th Blvd. 1 Milwaukee, WI 53216	Law Office of Hazel J Washington S.C. Attn: Attorney Hazel J Washington 2828 N. 60 th Street Milwaukee, WI 53206
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Heller Law Offices LLC
Attorney Michael G. Heller
1633 N. Prospect Ave. Ste. 4C
Milwaukee, WI 53202-2477

Additionally, the documents referenced above were also served via electronic means on the following individuals on Thursday, May 26, 2016:

United States Trustee Eastern District of Wisconsin 517 E. Wisconsin Ave. Milwaukee, WI 53202	Mary B. Grossman Chapter 13 Trustee P.O. Box 510920 Milwaukee, WI 53203
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Dated this Thursday, May 26, 2016.

By: /s/ Andrew Mark Golanowski
Andrew Mark Golanowski
Attorney of the Debtor
Bar #: 1055499